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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/708,862	03/29/2004	Trevor Honeyman	1320.10

21901
 SMITH & HOPEN PA
 15950 BAY VISTA DRIVE
 SUITE 220
 CLEARWATER, FL 33760



CONFIRMATION NO. 2861



OC000000012762457

Date Mailed: 05/24/2004

Notice Regarding Benefit/Priority Claim(s)

Prior-Filed Nonprovisional Application has been Improperly Indicated as the National Stage (35 U.S.C. 371) of an International Application

If applicant wishes to claim the benefit of the prior-filed international application under 35 U.S.C. 365 (c), applicant must submit a specific reference that includes: (1) the international application number and international filing date; and (2) a clear indication the relationship (i.e., continuation, divisional, or continuation-in-part) of the applications, such as "This application is a continuation of Application No. 10/---,---, filed ---, which is a continuation of PCT/US--/--, filed---." The specific reference must be included in the domestic priority information section of an application data sheet (37 CFR 1.76), or the specification must contain, or be amended to contain, such reference in the first sentence following the title.

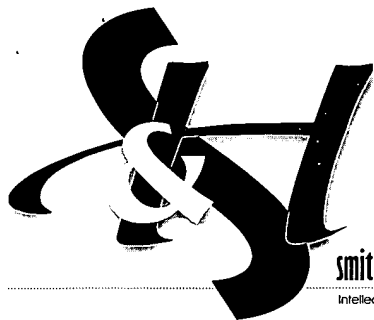
Timeliness: The required reference for each benefit claim must be filed during the pendency of the instant application and within the later of: (1) four months from the actual filing date of the instant application, or the national stage commencement date if the instant application is a national stage application under 35 U.S.C. 371; or (2) sixteen months from the filing date of the prior-filed application. Failure to timely file the required reference is considered a waiver of any benefit claim, unless a grantable petition to accept an unintentionally delayed claim under 37 CFR 1.78(a), the surcharge set forth in 37 CFR 1.17(t), and the required reference are filed. See 37 CFR 1.78(a). If the filing receipt includes the benefit claim to the prior application, the petition and surcharge would not be required.

If applicant wishes to claim the benefit of the prior-filed international application under 35 U.S.C. 365 (a), applicant must: (1) submit a proper priority claim in the oath or declaration, or in the foreign priority information section of an application data sheet (37 CFR 1.76), in compliance with 37 CFR 1.63 and 37 CFR 1.55 within the time period set forth in 37 CFR 1.55(a); and (2) comply with the other requirements of 37 CFR 1.55.

For more information and examples on benefit claims, please see Claiming the Benefit of a Prior-Filed Application under 35 U.S.C. 119(e), 120, 121, and 365(c), 1268 Off. Gaz. Pat. Office 89 (March 18, 2003), which is available on the USPTO website at <http://www.uspto.gov/web/offices/com/sol/og/2003/week11/patbene.htm>,

and the Manual of Patent Examining Procedure (MPEP) §§ 201.11 and 201.14.

PART 2 - COPY TO BE RETURNED WITH RESPONSE



smith & hopen, p.a.

Intellectual Property Law Patents Trademarks Copyrights

June 3, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant: Trevor Honeyman
Serial No.: 10/708,862
Filed: 03/29/2004
For: Fluid Delivery System
Our Reference No.: 1320.10

Art Unit: 3672
Examiner: Unassigned
Confirmation No.: 2861

Dear Sir:

Enclosed please find the following:

1. Notice Regarding Benefit/Priority Claim(s) – (2 pages);
2. Supplemental Application Data Sheet – (3 pages);
3. A full replacement copy of the original Application Data Sheet showing deletions using strikethroughs (3 pages);
4. Notice to File Missing Parts of Nonprovisional Application (2 pages);
5. Combined Declaration and Power of Attorney (5 pages);
6. Check No. 3054 for \$65.00, payable to the Assistant Commissioner for Patents; and
7. Self-addressed and postage pre-paid post card to serve as a receipt for items 1-6.

Very respectfully,

SMITH & HOPEN

By: Anton J. Hopen

anton.hopen@smithhopen.com

AJH/cm
Encl.

CERTIFICATE OF MAILING
(37 C.F.R. 1.8)

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 3, 2004.

Date: June 3, 2004


Charlene Morgan

**ADDED PAGE TO COMBINED DECLARATION
AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION
OR C-I-P APPLICATION**

(complete this part only if this is a divisional, continuation or C-I-P application)

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)
UNDER 35 U.S.C. § 120**

I hereby claim the benefit, under Title 35, United States Code, § 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information

☒ that is material to patentability as defined in 37, Code of Federal Regulations, § 1.56

(also check the following item, if desired)

☒ and that is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent,

that occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application. (37 CFR 1.63(e)).

(also check the following item, if desired)

☐ In compliance with this duty, there is attached an information disclosure statement, in accordance with 37 C.F.R. 1.98.

**PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC § 120:**

U.S. APPLICATIONS		Status (<i>check one</i>)		
U.S. APPLICATIONS	U.S. FILING DATE	Patented	Pending	Abandoned
1. /				
2. /				
3. /				
PCT APPLICATION DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE	U.S. APPLICATION NOS. ASSIGNED (<i>If any</i>)		
4. PCT/GB02/04148	09/12/2002	0 /		
5.		0 /		
6.		0 /		

**35 USC § 119 PRIORITY CLAIM, IF ANY,
FOR ABOVE LISTED U.S./PCT APPLICATIONS**

ABOVE APPLICATION NO.	DETAILS OF FOREIGN APPLICATION FROM WHICH PRIORITY CLAIMED UNDER 35 USC § 119		
	Country and Application No.	Date of filing (day, month, year)	Date of issue (day, month, year)
PCT/GB02/04148	Great Britain 0123340.2	28 Sep 01	
PCT/GB02/04148	Great Britain 0129813.2	13 Dec 01	

Mail Stop Missing Parts
Commissioner for Patents
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Alexandria, VA 22313-1450